

NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION

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MINUTES OF MEETING

September 2, 2004

(Approved October 7, 2004)

Members Present: Edward Murdough, Karen Schlitzer, Ronald O'Keefe, Scott Weden, David Duquette, Stephen Carrier, Al Burbank, John Hoglund, Peter Russell, Joseph Butts, J. William Degnan, Richard Mason.

Members Absent: Earl Sweeney, Roger Hatfield, Corey Landry.

Others Present: *Division of Fire Standards & Training*--Bruce McPherson, Bureau Chief; Sue Prentiss, Bureau Chief; Susan Beaudoin, Recording Secretary.
Division of Forests & Lands (DRED)—John Dodge, Regional Ranger.

I. CALL TO ORDER

Item 1. Call to Order. The meeting of the New Hampshire Fire Standards & Training Commission was called to order by Chair David Duquette at 10:05 a.m. on Thursday, September 2, 2004 at the Richard M. Flynn Fire Academy, Classroom 5, 222 Sheep Davis Road, Concord, NH. Director Degnan led us in the Pledge of Allegiance.

II. APPROVAL OF MINUTES

Item 1. July 21, 2004. ***Motion*** was made by Commissioner Russell, seconded by Commissioner Burbank, to approve the Minutes of the July 21, 2004 Commission meeting as printed and distributed. Motion passed unanimously.

III. CHAIR'S REMARKS

Item 1. Congratulations. Chair Duquette congratulated Director Degnan for his new position as State Fire Marshal. Chair Duquette asked him if they will now be filling the vacant positions they have. Director Degnan replied that the two deputy positions have been posted. One investigator position has been posted and tested. The other positions will be done after promotions have been made.

Item 2. Democratic National Convention. Chair Duquette reported that he attended a portion of the International Association of Firefighters Convention. New York City Firefighters marched in to the Convention hall in uniform, and it was a pretty powerful reminder. He noted he did get luxury seats for a Red Sox game!

IV. COMMITTEE REPORTS

Item 1. Emergency Medical Services. Chair Duquette deferred his report to Chief Prentiss, who reported on the following items:

- (a) Protocols—basic and advanced life support. The Content Review Committee has been working since November 2003. It is being done to make sure that all protocols are updated and meet the standards for today. Final approval of protocols should be done this month. Hope to stay within two-year cycle adopted.
- (b) Local Options versus Statewide—Committee appointed by Commissioner Flynn has been meeting since June 2004. Their final report with recommendations will be sent to the Commissioner September 21, 2004.
- (c) TEMSIS—Seven sites are on line in the State where we have EMS Units that are sending in their data electronically. In the first 30 days 1,036 runs were logged in. How long does it take to do a log sheet; average is 24 minutes; mean time is 16 minutes. The Bureau is monitoring the time to task and the completeness. A Request for Proposal (RFP) has been issued by Information Technology (IT).
- (d) National Scope of Practical Model—There is a New England wide meeting scheduled for November 5, 2004 here at the Fire Academy. There is a national effort that proposes four national certification levels. Dan Manz, the Project's Principal Investigator, will be here to collect comments and discuss the Project in detail.
- (e) Statewide Trauma System Workshop—To be held November 10, 2004 at the Inn at Mills Falls in Meredith.

Item 2. Fire Marshal's Office. Director Degnan reported on the following items:

- (a) Vacant Positions—They will be filling the vacant positions within the next month or so. There is nothing yet for modular buildings or plans review personnel.
- (b) State Fire Code—Building officials and some architects are against it because they don't understand it.
 - (i) NFPA 1—Additional sections on Hazardous Materials.
 - (ii) Height and Area Limitations—This section had been removed, was supposed to be put back in, and they did that. Building officials felt it's a conflict. We are citing the same standards. It's a firefighter safety issue as it includes how far you have to go into the building to fight the fire. It's very important so the fire chief has the authority to use it. If it's not official, then the chief does not have the authority. It's going to JLCAR on September 20.

Director Degnan asked how many fire chiefs have been heard from in regard to this issue; he said there have been none as they are not against the changes. Commissioner Weden said that the chiefs don't call anyway. He said he has to meet with Maura Carol soon, and that she needs to hear from the fire chiefs.

Commissioner Heglund asked if the State Fire Code is available on line. Director Degnan answered that it isn't, but he will make sure all Commission members get a copy by email. Commissioner Heglund asked if Director Degnan had heard from the insurance industry on this. Director Degnan replied that a member of the Board of Fire Control represents the insurance industry. He said this is basically the same codes from 1972; it's just been updated. Commissioner Murdough asked what edition was being adopted. Director Degnan said it would be the 2003 Life Safety Code.

Commissioner Russell asked Director Degnan why the city official he had mentioned was opposed to the changes. Director Degnan said that the official had concerns that it would cost the city money. However, we provide the training for free and a book for free. The official thinks the Building Code Review Board should set those codes, especially the Assembly Occupancies. We think they should do a pre-inspection before they open that day and have a record of that on file. We would have samples of the forms they would need on our website.

Commissioner Heglund said that Maine and Massachusetts are totally nonsmoking in their restaurants and their bars. He asked if New Hampshire would be doing that. Director Degnan answered

that he hasn't been in discussions on that; it's more of a health issue.

- (c) Lincoln Carbon Monoxide Incident—The incident was at the River Green Resort, where there were 275 people in the building. Forty were treated, and eight were hospitalized for a couple of days. The hotel is still closed. They have serious issues with the venting system and the furnaces malfunctioning. The fire, the EMS, and the law enforcement personnel did a great job at the scene.

Item 3. Forest Protection Bureau. Regional Ranger John Dodge was present to represent the Forest Protection Bureau. He reported on the following items:

- (a) Basic Wildfire Program—They are going to introduce an updated Basic Wildfire program that will still remain at 16 hours for Firefighter I. There will be a train-the-trainer for their instructors.
- (b) Fires/Acres—They have had 341 fires recorded with an average of 189 acres burned. The number of fires is up from last year probably because there is more reporting being done. The fire towers' initial reports are up.
- (c) Fire Towers—They will be opening a new fire tower at Pack-Monadnock in Peterborough. Highland Hill will be open when personnel is available. Two-thirds of the view from Highland Hill covers Massachusetts and Vermont.
- (d) Wildfires Nationally—The wildfire figures more than doubled nationally this year. There have been 7.3 million acres burned; 6.2 million were in Alaska. Bob Stewart went to Alaska last month. No 20-member fire crews were dispatched out of state this year; but we did send six specialty people.
- (e) Interviews for the Chief's position will be held soon, and they hope to have a decision by the middle of this month.

Item 4. Emergency Preparedness and Security. Commissioner Landry was absent.

Item 5. Curriculum Review. Chair Duquette reported that the Curriculum Status Report is in each Commission member's packet and is as follows:

**CURRICULUM STATUS REPORT
September 2, 2004**

- (a) Driver/Operator Series:
 - (1) Pumps:
Classes are scheduled in Hudson and Londonderry for September.
- (b) Hazardous Materials Series:
 - (1) Operations:

This program is well underway at this point with no problems reported.

(2) Technician:

The trailer is proving to be a valuable asset and will be an on-going work in progress. A class has been scheduled for Gorham this Fall.

(c) Aircraft Rescue & Fire Fighting:

We have just completed the first 40-hour certification class and will be meeting soon to evaluate the course delivery. For the moment the program was successful. A 40-hour program is planned for this Fall with a number of eight-hour re-certification classes planned as well.

(d) NFPA 1030 Series:

(1) NFPA 1031, Standard for Professional Qualifications for Fire Inspectors and Plan Examiners--At this point classes will be scheduled periodically as they consistently fill up. We are ready for Inspector II visiting committee soon.

(2) NFPA 1033, Standard for Professional Qualifications for Fire Investigator is in progress and we are looking at two separate programs, a one-week course for firefighters, and a two-week course for fire investigators. At this point it looks as though the New York curriculum is being considered for both classes. Waiting for information from the committee at this point.

(3) NFPA 1035, Standard for Professional Qualifications for Public Fire and Life Safety Educator will probably follow the 1033 standard.

Chair Duquette explained that we will have to put someone else in charge of the NFPA 1030 series since Commissioner Hatfield resigned.

(e) Rescue Series:

(1) Structural Collapse:
No pilots scheduled as yet.

(2) Confined Space:
There is a class scheduled in Portsmouth in October.

(f) NFPA 1001 Firefighter I and Firefighter II:

Train-the-Trainers have been successful thus far with over 250 instructors attending, both at the Academy and in the field from Littleton to Hollis. More will be scheduled this Fall.

Commissioner Butts reported that Captains Eric Wilking and Jeff Phillips put the revised program on PowerPoint. This is going to reflect in the consistency in training, and will ensure that students have more standardized training. Everything will be on PowerPoint. The program has come a long way. The Visiting Committee did a good job.

(g) NFPA 1021 Fire Officer:

This program is ready to go this October.

Commissioner O'Keefe reported that there are three Fire Officer programs scheduled; one will be at the Fire Academy, one in Manchester, and one in Burlington, Vermont. Director Mason stated that we have 53 applicants for the program at the Fire Academy so we may have to do another one here. The program has been upgraded, and is a good course.

(h) NFPA 1041 Instructor:

A Train-the-Trainer and a bridge course for instructors of 1041 have been scheduled for September. A bridge course for all instructors is scheduled for November.

Commissioner Carrier reported that we have a train-the-trainer for Instructor I-II-III scheduled for September 27, and the bridge program will probably run in November.

(i) NFPA 1051 Wildland Firefighter:

The Visiting Committee for Wildland Firefighter recently met for the first time. The next meeting will be Wednesday, September 15, at 0900 hours at the Academy. Wildland Firefighter I and Firefighter II were discussed.

(j) Other:

Visiting Committees for the following in accordance with the Commission vote on February 3, 1999 are about to commence in the near future once the committees are established. Hopefully to be established this meeting.

- (1) NFPA 1002 Aerial Apparatus needs to be brought on line as soon as possible.
- (2) NFPA 472 Hazardous Materials Decontamination is currently being revised by Program Coordinator Dave Jones and Captain Andy Anderson, adding Weapons of Mass Destruction to make it current.

Item 6. Retreat. Commissioner Murdough stated that we should consider how we are going to address the action items they came up with during the Retreat. Commissioner Russell noted that the last time we took one item at a time for each Commission meeting. Chair Duquette said we will look at the list and prioritize the items at the October Commission meeting.

Item 7. Academy Awards. Commissioner Weden reported that Director Mason has been working on the Academy Awards program, and the invitations have been sent. Recipients are: George Roussos, lobbyist for Domestic Insurers; Donald P. Bliss, retired State Fire Marshal and past President NH Association of Fire Chiefs; Stephen J. Judge, Commission member for 16 years representing the Department of Justice and legal counsel for several issues; Brian J. Thibeault, Commission member six years, Vice-Chair for three, and instrumental in the Certified Career

Firefighter program. We will be posthumously honoring Robert W. Fitz, Sr. and Richard S. Rand.

Commissioner Weden said that the new "Award of Excellence" for an organization or an individual who has served the New Hampshire Fire Service with distinction, whether training related or otherwise, will be presented to Colonel Fred Booth, New Hampshire State Police. Executive Secretary Dale Boyd is working on a plaque design for that.

Commissioner Weden said the schedule for November 4 will be:

- 3:00 p.m. - Regular Commission Meeting
- 5:00 p.m. - Ceremony Rehearsal
- 6:00 p.m. - Dinner
- 7:00 p.m. - Academy Awards Ceremony

V. REPORT OF THE DIRECTOR

Item 1. Director's Report #83. The Director's Report was as follows:

Director's Report #83 September 2, 2004

The summertime break is over, and it is time to get back in the work mode. The biggest event for the Division this year is the legislatively-confirmed uniting of Fire and EMS with the passage of the bill changing our name to the Division of Fire Standards and Training and Emergency Medical Services.

1. ENTRANCE TEST

This year we had 570 candidates apply for the exam. The written exam was completed yesterday with the following results:

- 570 applicants (100%)
- 440 participated in examination (77.2%)
- 171 passed the examination (38.9% of those participating)

The Candidate Physical Ability Test (CPAT) will be September 21-24, 2004 at the Armory in Manchester. The attached letter has been sent to all applicants on July 1, 2004, eight weeks prior to the examination.

Fire 701.01 Firefighter Entrance Requirement.

- (e) The candidate shall pass a written entrance examination given by the jurisdictional agency to determine the candidate's ability to successfully complete the firefighter-training program.

Director Mason explained that we change testing companies on a regular basis. This year's examination has a study manual. On July 1 we sent out a notice about the study manual. The notices were collated, folded, put in envelopes, and weighed. If an envelope did not weigh the correct amount, its contents were checked. We have had several people say the notice was not in their envelope. Director Mason said that is impossible because of the process used. The notice states, "Remember 72% of test questions come directly from this Manual." Of those who passed the examination, 78% bought the manual; of those who failed, 52% bought the manual. Director Mason said that we have 171 candidates going to CPAT. We should end up with about 100 to 110 candidates who pass for 40 positions available in the State.

Director Mason said that we are asking for statistics on the test from the company. Commissioner Butts noted that he heard candidates saying they didn't know about the manual or that they had it but didn't read it. Director Mason said that one candidate had to be sent back to his car because he had shorts on; he was sent back a second time because he had his cell phone with him; and he was sent back a third and last time as he had no picture identification with him. If the candidate had read the information in the packet sent to him, he wouldn't have had this problem. Commissioner Weden stated that we need to stop holding their hands and make them accountable. Chief McPherson said that, if they want this for a career, they need to take it seriously.

Chair Duquette asked if we want to make the test pass/fail. Director Mason said that it probably should be, and the staff can make that change without a Commission vote.

Director Mason said that Marta Modigliani will answer any complaints we get on the examination.

2. ADMINISTRATIVE RULES

We will need to take a final vote on the Fire 702 rules, and they will be effective today. These rule changes place time restrictions on CPAT and extend the aerial climb to 100 feet; see packet attached.

3. BUDGET

We have assembled the FY'06 and FY'07 proposed budget maintaining the programs we presently offer. Both are in the \$4.5 million level, up very minimally from our present budget; mostly the additions of salary adjustments and utility costs mandated this request.

Director Mason explained that this year's budget is \$4.2 million, and last year's was \$4.1 million.

4. CONSTRUCTION

A) Safety Communications Facility

The communications facility to be built on our campus has been held up due to the need for an Environmental Analysis, holding the project up for at least 60 days.

B) DOT Mechanical Services Facility

The mechanical services facility will be where the construction is ongoing presently. A plot plan is attached; as you can see, the road will change drastically; also there will be an on-site fuel depot!

Director Mason said that Regional Drive will be constructed directly across from our new entrance on Route 106. Regional Drive will go all the way to Airport Road; then you will be able to access Route 93 easier. We will have stoplights at that new entrance intersection.

Director Mason said that they have tried to free up more parking with the new Safety Communication Facility, and he has seen some floor plans for the building.

5. FIRE ACT GRANTS

Twelve New Hampshire fire departments have received \$721,066 for an average of more than \$60,000 each. To date \$151 million of nearly \$700 million has been awarded. Last year 71 New Hampshire fire departments received \$4.58 million in grants for an average of \$64,577 each. It appears we are on track this year as well.

Other items discussed were:

6. Adoption of Fire 702—**Motion** was made by Commissioner Carrier, seconded by Commissioner Russell, to adopt the following:

Fire 702.01 Physical Ability Test. The candidate shall pass a physical ability test, as set forth in the Fire Service Joint Labor Management Wellness/Fitness Initiative's "Candidate Physical Ability Test (CPAT)," 1999 edition. The physical ability test shall be good for 26 months from the time the candidate successfully completes the CPAT.

Fire 702.02 Acrophobia Test. An acrophobia test shall be administered in which the candidate, without stopping for more than 30 seconds, shall climb up and down an unsupported aerial ladder at an angle of at least 65 degrees but not more than 75 degrees for a distance of 100 feet as measured from the tip of the ladder to the ground.

Motion passed unanimously.

7. Extension Requests for C2F2—

- (a) Jarrold B. Houston, Keene Fire Department. Chief Gary Lamoureux, Keene Fire Department, requested an extension for Firefighter Jarrold B. Houston. It was agreed that no action was needed for Firefighter Houston. He will be starting his C2F2 program before he completes his Firefighter II program. We will hold on to his C2F2 certificate until he successfully completes his Firefighter II certification.
- (b) James G. O'Brien, Portsmouth Fire Department. Chief Christopher LeClaire, Portsmouth Fire Department, requested an extension for Firefighter James G. O'Brien, who is currently serving in Iraq. Firefighter O'Brien is expected to be there for at least 18 months.

Director Mason said that he doesn't think we can take action at this time because it would require an extension beyond the one-year permissible extension. Commissioner Schlitzer said that she would look into federal laws for the military.

Commissioner Murdough said he thought we had put a freeze on military time. Director Mason replied that it had been discussed, but no vote was taken at that time.

- (c) Brian K. Cottrell, Gilmanton Fire Department. Chief Paul Hempel, Gilmanton Fire Department, requested an extension for Firefighter Brian K. Cottrell. He was unable to complete the C2F2 program he was in for medical reasons. He was hired on June 29, 2003, and anticipates admittance into the November 2004 C2F2 program.

Commissioner Weden asked what happens if Firefighter Cottrell doesn't attend the November program. Director Mason explained that the vote would be until June 29, 2005; and we should have two or three more programs by that date. Commissioner Weden asked what happens if Firefighter Cottrell is able to attend the program but doesn't.

Director Mason answered that we have to decide what we can and can't do in that situation.

Motion by Commissioner Russell, seconded by Commissioner Murdough, to grant a one-year extension to June 29, 2005 for C2F2 for Firefighter Brian K. Cottrell, Gilmanton Fire Department. Motion passed unanimously.

- (d) Nathaniel A. Martel, Hopkinton Fire Department. Chief Rick Schaefer, Hopkinton Fire Department, sent in the information requested by the Commission for Firefighter/Paramedic Nathaniel A. Martel. Firefighter/Paramedic Martel was in a paramedic course last fall. He is currently in a Firefighter II program, and still must complete a C2F2 program. He was hired on September 29, 2003.

Motion by Commissioner Murdough, seconded by Commissioner Russell, to approve a one-year extension to September 29, 2005 for C2F2 for Firefighter/Paramedic Nathaniel A. Martel, Hopkinton Fire Department. Motion passed unanimously.

- (e) Margaret Winn, Bristol Fire Department. Chief Norman Skantze requested an extension for Firefighter Margaret Winn, who has not completed a C2F2 program. Director Mason explained that Firefighter Winn was previously only on the Rescue Squad. All EMT people were folded into the fire department effective January 1, 2002.

Firefighter Winn applied to attend a C2F2 program in May, 2003. The day before the program was to start, she had appendicitis. In April 2004 she was 11 weeks pregnant during the C2F2 program and was unable to finish the program.

Director Mason explained that the Retirement System didn't send the Form A's when the Rescue personnel became Firefighter/Paramedics. The fire chief didn't do anything about making sure they met the firefighter requirements.

Commissioner Butts asked how the Retirement System looks at this. Director Mason stated that there are a lot of issues that need to be looked at. Chair Duquette said that Firefighter Winn didn't have any idea she needed to meet requirements, and didn't do anything on her own. Commissioner O'Keefe said that, if we can't issue a waiver

for more than a one-year extension, we have to follow the rules.

Commissioner Butts asked if we need to send a letter to Retirement. Commissioner Burbank stated that this Commission needs authority that ties into Retirement. He said for the record, if we are going to have a system, and we just had one person who is clearly outside the rules, he is going to vote no extension for that person. This is probably a major deal. We need to attack that during this next year.

Commissioner O'Keefe said that some new fire chiefs may not know all the rules. He said that maybe we should send a letter to tell them, if they are adding full-time firefighters, these are the rules. Director Mason said the rules will be in the monthly mailing and on our website.

Commissioner Murdough asked if this is an insurance issue. He said it's like driving without a driver's license. Director Mason said that with driving there are penalties; maybe we need to add penalties. Chair Duquette said we need to know how that is going to work if the Chief keeps her on anyway.

Motion by Commissioner Burbank, seconded by Commissioner Butts, that Director Mason send a letter for the Commission to the Bristol Fire Chief, with copies to Assistant Commissioner Sweeney, the NH Retirement System, and the Bristol Town Administrator, stating that the Commission does not have the authority to grant the extension for C2F2 requested for Firefighter Margaret Winn as it would have to be longer than the one year allowed. This will be the case in all requests where the time limit is over the two years allowed. Motion passed unanimously.

8. Addition of Employees—The addition of two employees from the Office of Emergency Management is done. Roy Nieder and Bob Jeffries are working with Captain Andy Anderson.
8. Hiring at Other Than Firefighter Level—Director Mason said that he is working with Commissioner Schlitzer trying to nail down issues if someone is hired at other than the firefighter level. For example, Ken Erickson came from Massachusetts and is now the Laconia Fire Chief; should he have to take tests. The Retirement laws say the person has to be completely certified. We are working

on coming up with an answer on that. Fire Instructors are “fire service personnel” and Fire Chiefs are “fire officers.”

Chair Duquette said that we have to consider that there are dispatchers and mechanics in Group 2 Retirement.

VI. OLD BUSINESS

Item 1. Definition of “Cheating.” Chair Duquette stated that we are looking for a definition of “cheating.” We have received information from Commissioner Murdough. We also have a copy of the Police Standards & Training rules. We will be making a presentation at the next Commission meeting. Commissioner Russell said that we need to provide ourselves with flexibility, which we don’t have now.

Commissioner Schlitzer said that the common definition of “cheating” is looking over somebody’s shoulder. If we define it and leave something out, we can’t do anything about it.

VII. NEW BUSINESS

None.

VII. GOOD OF THE ORDER

None.

IX. ADJOURNMENT

Motion was made by Commissioner Burbank, seconded by Commissioner O’Keefe, to adjourn at 11:53 a.m. Motion passed unanimously.

Respectfully submitted,

Richard A. Mason, Director

Items distributed at meeting:

1. Agenda 09/02/04
2. Director's Report #83
3. Minutes of Meeting – 07/21/04 – Not Approved
4. Minutes of Public Hearing – 07/06/04 – Approved 07/21/04
5. Minutes of Meeting – 06/03/04 – Approved 07/21/04
6. Number of Personnel Certified in NH 07/01/04 to 09/01/04
7. Curriculum Status Report 09/02/04
8. US Dept. of Homeland Security Assistance to Firefighters Grant Program 06/01/04 to 09/01/04
9. NH DOT Mechanical Services Facility Site Plan with Current and Proposed Roadways
10. Adoption of FIRE 702 Physical Ability Tests Requirements Rules
11. FSI's Test Preparation Manual, 8th Ed., for Entry-Level Firefighters – Order Form